

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Anza Therapeutics, Inc.

Application No./Patent No.: 10/773,792 Filed/Issue Date: 06 February 2004

Entitled: Listeria attenuated for entry into non-phagocytic cells, vaccines comprising the listeria, and methods of use thereof

Anza Therapeutics, Inc. _____, a _____ corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy therefore is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Thomas W. Dunbenschky, Jr. To: Cerus Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 015085, Frame 0029, or for which a copy thereof is attached.

2. From: Dirk G. Brockstedt To: Cerus Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 015084, Frame 0941, or for which a copy thereof is attached.

3. From: David N. Cook To: Cerus Corporation

The document was recorded in the United States Patent and Trademark Office at
Reel 015084, Frame 0941, or for which a copy thereof is attached.

- ☒ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/Michael A. Whittaker/

Signature

04 September 2008

Date

Michael A. Whittaker

Printed or Typed Name

619-203-3186

Telephone Number

Attorney of Record

Title

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Thomas W. Dubensky, Jr. et al.)	Art Unit: 1645
)	
Application No.: 10/773,792)	
)	
Filed: February 6, 2004)	Confirmation No.: 8458
)	
FOR: LISTERIA ATTENUATED FOR ENTRY)	
INTO NON-PHAGOCYTIC CELLS,)	
VACCINES COMPRISING THE)	
LISTERIA, AND METHODS OF USE)	
THEREOF)	

SUPPLEMENTAL SHEET
STATEMENT UNDER 37 C.F.R. §3.73(b)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

BIOTECHNOLOGY LAW GROUP
Customer Number 35938

September 4, 2008

Sir:

The chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee continues as follow:

4. From: Cerus Corporation
for which a copy thereof is attached.

To: Anza Therapeutics, Inc.

PATENT ASSIGNMENT ASSIGNMENT

This Patent Assignment Agreement (this "Agreement") is made as of November 20, 2007 between Anza Therapeutics, Inc., a Delaware corporation ("Anza"), and Cerus Corporation, a Delaware corporation ("Cerus"). Anza and Cerus are each referred to herein as a "Party" and collectively as the "Parties."

A. Cerus and Anza are parties to that certain Asset Transfer and License Agreement dated as of November 20, 2007 (the "Asset Agreement").

B. It is a condition to closing under the Asset Agreement that the Parties execute and deliver this Agreement.

Now, therefore, in consideration of the foregoing premises, the mutual representations, warranties covenants and other agreements set forth herein and the mutual benefits to be gained by the performance thereof, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and accepted, the Parties hereby agree as follows:

1. Patent Rights. As used herein, "Patent Rights" shall mean the patents and patent applications listed on Attachment 1 attached hereto, and all patents issuing thereon (including utility, model and design patents and certificates of invention), together with all reissue patents, patents of addition, divisions, renewals, continuations, continuations-in-part, substitutions, extensions (including supplemental protection certificates), registrations, confirmations, re-examinations and foreign counterparts of any of the foregoing.

2. Assignment. Cerus hereby conveys, assigns and transfers to Anza, and Anza hereby acquires from Cerus, all of Cerus' right, title and interest in and to the Patent Rights, and all rights, claims and privileges pertaining to the Patent Rights, including, without limitation, rights to the underlying inventions, all rights to pursue damages, injunctive relief and other remedies for past and future infringement of the Patent Rights and the right to prosecute and maintain the Patent Rights.

3. Nothing in this Agreement shall be deemed to amend or modify in any way any of the terms and conditions of the Asset Agreement or any rights or obligations of the parties thereto. In the event of any conflict between this Agreement and the Asset Agreement, the Asset Agreement shall control.

(The remainder of this page is intentionally left blank.)

In witness whereof, the Parties hereto have caused this Agreement to be executed as of the date first written above by their respective duly authorized officers.

ANZA THERAPEUTICS, INC.

By: D-N Cook
David N. Cook, Ph.D.
President and Chief Executive Officer

CERUS CORPORATION

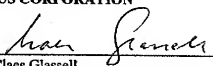
By: _____
Claes Glassell
President and Chief Executive Officer

In witness whereof, the Parties hereto have caused this Agreement to be executed as of the date first written above by their respective duly authorized officers.

ANZA THERAPEUTICS, INC.

By: _____
David N. Cook, Ph.D.
President and Chief Executive Officer

CERUS CORPORATION

By: 
Clacs Glassell
President and Chief Executive Officer

ATTACHMENT 1

CTV	TITLE	APP # FILE DATE	PUB # PUB DATE
US	Free-Living Microbe Based Vaccine Compositions	60/446,051 2/6/2003	
US	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	10/773,618 2/6/2004	2004/0197343 10/7/2004
US	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	11/502,836 8/11/2006	
US	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	11/894,728 8/20/2006	
US	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	11/894,726 8/20/2006	
US	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	10/883,599 6/30/2004	
WO	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	PCT/US2004/003671 2/6/2004	WO 2004/084936 10/7/2004
WO	Antigen-Presenting Cell Vaccines And Methods Of Use Thereof	PCT/US2004/023881 7/23/2004	WO 2005/009463 2/3/2005
AU	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	2004224425 2/6/2004	
CA	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	2,515,298 2/6/2004	
CN	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	2004800070511 2/6/2004	CN1761483 4/19/2006
IN	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	1654/KOLNP/2005 2/6/2004	
JP	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	2006-508697 2/6/2004	2006-521376 2/21/2006
EP	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	04749318.4 2/6/2004	1 592 442 11/9/2005
KR	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	20057014537 2/6/2004	
MX	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	2005008340 2/6/2004	
JP	Antigen-Presenting Cell Vaccines And Methods Of Use Thereof	2006-521287 7/23/2004	
HK	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	06102982 3/21/2006	
JP	Modified Free-Living Microbes, Vaccine Compositions And Methods Of Use Thereof	2007-026192 2/6/2004	2007-131639 5/31/2007

CTY	TITLE	APP # FILE DATE	PUB # PUB DATE
US	Vaccines Comprising Mutant Listeria Attenuated For Entry Into Nonphagocytic Cells And Methods Of Use Thereof	60/511,719 10/15/2003	
US	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria, And Method Of Use Thereof	10/773,792 2/6/2004	2004/0228877 11/18/2004
US	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria, And Method Of Use Thereof	11/894,593 8/20/2007	
US	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria, And Method Of Use Thereof	11/894,595 8/20/2007	
WO	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria, And Method Of Use Thereof	PCT/US2004/003429 2/6/2004	WO 2004/110481 2/6/2004
AU	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria And Method Of Use Thereof	2004246999 2/6/2004	
CA	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria And Method Of Use Thereof	2,515,369 2/6/2004	
CN	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria And Method Of Use Thereof	200480006647.3 2/6/2004	CN1758923 4/12/2006
IN	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria. And Method Of Use Thereof	1652KOLNP2005 2/6/2004	
JP	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria. And Method Of Use Thereof	2006-532281 2/6/2004	2007-503846 3/1/2007
EP	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria, And Method Of Use Thereof	04749316.8 2/6/2004	1 592 441 11/9/2005
KR	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria. And Method Of Use Thereof	20057014538 2/6/2004	
MX	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria, And Method Of Use Thereof	PAa2005008342 2/6/2004	
HK	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria. And Method Of Use Thereof	061024594 2/6/2004	

CTY	TITLE	APP # FILE DATE	PUB # PUB DATE
JP	Listeria Attenuated For Entry Into Non-Phagocytic Cells, Vaccines Comprising The Listeria, And Method Of Use Thereof	2007-026201 2/6/2004	2007-125040 5/24/2007
US	Free-Living Microbe Based Vaccine Compositions	60/449,153 2/21/2003	
US	Use of Modified Microbes in the Preparation of Antigen-Presenting Cell Vaccines	60/490,089 7/24/2003	
US	Vaccines Comprising Internalin B Mutant Listeria And Methods Of Use Thereof	60/511,919 10/15/2003	
US	Free-Living Microbe Based Vaccine Compositions	60/511,869 10/15/2003	
US	Listeria Attenuated for Entry into Non-Phagocytic Cells, Comprising the Listeria, and Methods of Use Thereof	60/541,515 2/2/2004	
US	Bacterial Expression Cassettes, Bacterial Vaccine Compositions, And Methods Of Use Thereof	60/532,598 12/24/2003	
US	Bacterial Expression Cassettes, Bacterial Vaccine Compositions, And Methods Of Use Thereof	60/556,744 3/26/2004	
US	Bacterial Expression Cassettes, Bacterial Vaccine Compositions, And Methods Of Use Thereof	60/599,377 8/5/2004	
US	Bacterial Expression Cassettes, Bacterial Vaccine Compositions, And Methods Of Use Thereof	60/615,287 10/1/2004	
US	Bacterial Expression Cassettes, Bacterial Vaccine Compositions, And Methods Of Use Thereof	60/616,750 10/6/2004	
US	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	11/021,441 12/23/2004	2005/2049748 11/10/2005
US	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	11/894,558 8/20/2007	
US	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	11/894,608 8/20/2007	
WO	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	PCT/US2004/044080 12/23/2004	WO 2005/071088 8/4/2005

CITY	TITLE	APP # FILE DATE	PUB # PUB DATE
TW	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	093140281 12/23/2004	200530399 9/16/2005
AU	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	2004314347 12/23/2004	
CA	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	2,551,644 12/23/2004	
CN	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	2004-80042020 12/23/2004	1921884 2/28/2007
EP	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	04821230.2 12/23/2004	1 708 741 10/11/2006
IN	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	4243DELNP2006 12/23/2004	
JP	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	2006-547602 12/23/2004	2007-518405 7/12/2007
MX	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	PAa200607144 12/23/2004	
RU	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	2006126673 12/23/2004	
KR	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	1020067014816 12/23/2004	
HK	Recombinant Nucleic Acid Molecules, Expression Cassettes, And Bacteria, And Methods Of Use Thereof	071037865 4/11/2007	
US*	Immunorecruitment And Activation For Anti-Tumor Treatment	60/709,699 8/19/2005	
US*	Listeria-Induced Immunorecruitment And Activation, And Methods Of Use Thereof	11/507,734 8/21/2006	2007/0190029 8/16/2007

* Solely with respect to Cerus' rights to such patent or patent application.

CTY	TITLE	APP # FILE DATE	PUB # PUB DATE
WO*	Listeria-Induced Immunorecruitment And Activation, And Methods Of Use Thereof	PCT/US2006/032648 8/21/2006	WO 2007/022511 2/22/2007
TW*	Listeria-Induced Immunorecruitment And Activation, And Methods Of Use Thereof	095130666 8/21/2006	
US	Antibody-Mediated Therapeutic Effects	60/709,700 8/19/2005	
US	Antibody-Mediated Enhancement Of Immune Response	11/507,810 8/21/2006	2007/0190063 8/16/2007
PCT	Antibody-Mediated Therapeutic Effects	PCT/US2006/032664 8/21/2006	WO 2007/022520 2/22/2007
US	Engineered Listeria And Methods Of Use Thereof	60/778,471 3/1/2006	
US	Engineered Listeria And Methods Of Use Thereof	60/784,576 3/21/2006	
US	Engineered Listeria And Methods Of Use Thereof	60/784,915 3/21/2006	
US	Engineered Listeria And Methods Of Use Thereof	60/788,558 3/30/2006	
US	Engineered Listeria And Methods Of Use Thereof	11/395,197 3/30/2006	2007/0207170 9/6/2007
US	Engineered Listeria And Methods Of Use Thereof	11/894,644 8/20/2007	
US	Engineered Listeria And Methods Of Use Thereof	11/894,556 8/20/2007	
US	Engineered Listeria And Methods Of Use Thereof	11/713,765 3/1/2007	
WO	Engineered Listeria And Methods Of Use Thereof	PCT/US2007/005457 3/1/2007	WO 2007/103225 9/13/2007
WO	Engineered Listeria And Methods Of Use Thereof	PCT/US2007/05455 3/1/2007	WO 2007/117371 10/18/2007
US	Methods And Compositions Using Listeria For Enhancing Immunogenicity By Prime Boost	60/831,360 7/17/2006	
WO	Methods And Compositions Using Listeria For Enhancing Immunogenicity By Prime Boost	PCT/US2007/016290 7/17/2007	

CTY	TITLE	APP # FILE DATE	PUB # PUB DATE
US	Engineered Listeria And Methods Of Use Thereof	11/396,216 3/30/2006	2007/0207171 9/6/2007
US	Holin-Enhanced Vaccines And Reagents, And Methods Of Use Thereof	60/841,705 9/1/2006	
WO	Holin-Enhanced Vaccines And Reagents, And Methods Of Use Thereof	PENDING 8/31/2007	
US*	Modified Bacillus Anthracis, Vaccine Compositions And Methods Of Use Thereof	60/584,886 6/30/2004	
US*	Modified Bacillus Anthracis, Vaccine Compositions And Methods Of Use Thereof	60/599,522 8/5/2004	
US*	Modified Bacillus Anthracis, Vaccine Compositions And Methods Of Use Thereof	60/649,510 2/2/2005	
US*	Modified Bacillus Anthracis, Vaccine Compositions And Methods Of Use Thereof	11/173,770 6/30/2005	2007/0031457 2/8/2007
WO*	Modified Bacillus Anthracis, Vaccine Compositions And Methods Of Use Thereof	PCT/US2005/002987 2/2/2005	WO 2005/092372 10/6/2005

(End of Attachment 1)

* Solely with respect to Cerus' rights to such patent or patent application.